

D.T.E. 01-71D

Investigation by the Department of Telecommunications and Energy on its own motion, pursuant to G.L. c. 164, §§ 1E, 76 and 93, into Western Massachusetts Electric Company's service quality filings, including but not limited to, its service quality filings submitted in response to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84.

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FOR: WESTERN MASSACHUSETTS ELECTRIC
COMPANY
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I. INTRODUCTION

In response to substantial outages sustained by customers of some electric distribution companies during the Summer of 2001, the Department of Telecommunications and Energy (“Department”) opened an investigation into the quality of electric service provided by distribution companies pursuant to G.L. c. 164, §§ 1E, 76, 93¹ and G.L. c. 30A, §§ 10, 11. Investigation into Quality of Electric Service, D.T.E. 01-71 (September 7, 2001). The Department stated that the investigation would include, but would not be limited to, the service quality plans filed by the electric distribution companies pursuant to the Order issued on June 29, 2001 in Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84 (2001).² Id. at 1. On November 8, 2001, the Department docketed the company-specific investigation into Western Massachusetts Electric Company’s (“WMECo” or “Company”) quality of electric service as D.T.E. 01-71D.³

¹ Chapter 164 of the Acts of 1997, entitled “An Act Relative to Restructuring the Electric Utility Industry in the Commonwealth, Regulating the Provision of Electricity and other Services, and Promoting Enhanced Consumer Protection Therein” (“Restructuring Act” or “Act”).

² WMECo originally filed its service quality plan on October 29, 2001. After revisions, the Department approved WMECo’s plan on December 17, 2001. D.T.E. 99-84, at 1, Letter Order (December 17, 2001).

³ The other companies subject to investigation in D.T.E. 01-71 are Boston Edison Company, Cambridge Electric Light Company, and Commonwealth Electric Company (D.T.E. 01-71A); Massachusetts Electric Light Company with Nantucket Electric Company (D.T.E. 01-71B); and Fitchburg Gas and Electric Light Company (D.T.E. 01-71C).

On November 15, 2001, the Commonwealth of Massachusetts Division of Energy Resources (“DOER”) filed a petition to intervene.⁴ On November 19, 2001, the Attorney General of the Commonwealth of Massachusetts filed a notice of intervention as of right, pursuant to G.L. c. 12, § 11E.

Pursuant to notice duly issued, the Department held public hearings in the Company’s service territory in Pittsfield and Greenfield on November 28, 2001 and November 29, 2001, respectively, and at the Department’s office on January 17, 2002. No written comments regarding WMECo’s service quality were received.

II. ANALYSIS AND FINDINGS

On August 24, 2001, the Department opened an investigation into the service quality of WMECo. Investigation into Service Quality of Western Massachusetts Electric Company’s Electric Service, D.T.E. 01-66, at 1 (2001). We stated that the focus of the investigation in D.T.E. 01-66 would be WMECo’s management of its electric distribution system, including management during the Summer of 2001. Id. at Att. 1. Pursuant to the Department’s directive, WMECo filed a report assessing its distribution system’s reliability (“Report”) in D.T.E. 01-66 on October 29, 2001. Id. Upon review of the Report, the Department issued an Order finding that there was no recent indication of repeated major failures in WMECo’s distribution system and directed WMECo to take action with regard to the several areas,

⁴ The disposition of this proceeding in this Order renders unnecessary any decision on DOER’s petition.

including growth forecasting, staffing, and distribution system design. D.T.E. 01-66, at 16-17.

The Department's assessment of the management and reliability of WMECo's distribution system in D.T.E. 01-66, particularly during the Summer of 2001, makes any further inquiry in this docket into WMECo's service quality duplicative. The Department, however, will examine WMECo's service quality in conjunction with its review of service quality data annually reported by all gas and electric distribution companies.⁵

By Order of the Department,

Paul B. Vasington, Chairman

James Connelly, Commissioner

W. Robert Keating, Commissioner

Eugene J. Sullivan, Jr., Commissioner

Deirdre K. Manning, Commissioner

⁵ All gas and electric distribution companies are required to file calendar-year service quality data on March 1st annually. WMECo's first filing was received this year on March 1, 2002.

Appeal as to matters of law from any final decision, order or ruling of the Commission may be taken to the Supreme Judicial Court by an aggrieved party in interest by the filing of a written petition praying that the Order of the Commission be modified or set aside in whole or in part.

Such petition for appeal shall be filed with the Secretary of the Commission within twenty days after the date of service of the decision, order or ruling of the Commission, or within such further time as the Commission may allow upon request filed prior to the expiration of twenty days after the date of service of said decision, order or ruling. Within ten days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court sitting in Suffolk County by filing a copy thereof with the Clerk of said Court. (Sec. 5, Chapter 25, G.L. Ter. Ed., as most recently amended by Chapter 485 of the Acts of 1971).